

DEPARTMENT OF ENVIRONMENTAL QUALITY
ASSIGNMENT of Strip and Underground Mining Permit No. 93017

COPY

Assignments are not valid until approved by the Chief, Industrial and Energy Minerals Bureau.
The Department requires proof of agency.

AFFIDAVIT OF ASSIGNOR

State of Montana)
) ss
County of Yellowstone)

John M. DeMichiei as President of
Agent Title
Bull Mountain Coal Mining, Inc. of
Assignor

127 PM Coal Road, Roundup, MT 59072 being duly sworn, avers:
Address

That he is a duly authorized agent of assignor, empowered to transfer and assign Strip
and Underground Mining Permit No. 93017.

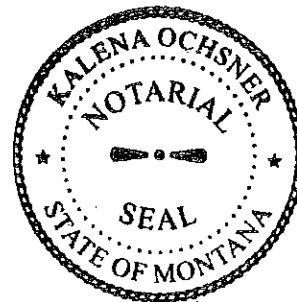
That said permit is hereby transferred and assigned to Signal Peak Energy, LLC
Assignee
of 127 PM Coal Road, Roundup, MT 59072
Address

July 16, 2008
Date

John M. DeMichiei
Signature

Subscribed and sworn before me this 16 day of July, 2008

Kalena Ochsner
Notary Public for the State of Montana
Residing at Billings, MT
My commission expires: September 1, 2010



AFFIDAVIT OF ASSIGNEE

State of Montana)
) ss
County of Yellowstone)

John DeMichiei as Vice President of
Agent Title
Signal Peak Energy, LLC of

127 PM Coal Road, Roundup, MT 59072

Address

being duly sworn, avers:

That he is a duly authorized agent of assignee, empowered to accept the assignment of Strip and Underground Mining Permit No. 93017 and bind the assignee as follows:

That assignee hereby adopts assignors surface mining permit application and assumes full responsibility under Title 82, Chapter 4, Part 2, MCA, for all activities which may have been previously conducted pursuant to said permit and any preceeding permits if said permit is a renewal.

That assignee assumes full responsibility under Title 82, Chapter 4, Part 2, MCA, for future activities conducted pursuant to said permit.

July 17, 2008
Date

John M. J. Michener
Signature

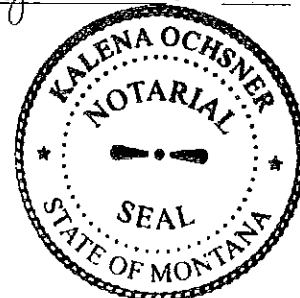
Subscribed and sworn before me this 17 day of July, 2008

Kalena Ochsner

Notary Public for the State of Montana

Residing at Billings, MT

My commission expires: September 1, 2010



APPROVAL OF ASSIGNMENT

The foregoing assignment of Strip and Underground Mining Permit No. 93017 is hereby approved this 13th day of September, 2010

[Signature]

Chief, Industrial and Energy Mineral Bureau
Department of Environmental Quality

Processing for an Application for Assignment requires an average of 75 days.

Due to an oversight, the Department of Environmental Quality (DEQ) did not sign the permit assignment document transferring Surface Mining Permit No. 93017 when DEQ issued Surface Mining Permit No. 93017 to Signal Peak Energy, LLC, on September 15, 2008. All remaining portions of the permit transfer process, including review of the application, new liability insurance document, proof of agency, AVS check, public notice, written findings, and issuance of a new permit document were completed. The permit assignment was signed by the Department on ~~June~~ September 13, 2010, and should be considered effective as of September 15, 2008.

Ed Coleman, Bureau Chief, Industrial and Energy Minerals Bureau